

BOOK I

Part I. PRE-GOVERNMENT OPERATIONS COMMITTEE ACTION

- A. 15 December 1975 Government Operations Draft
- B. 30 December 1975 Select Committee Draft
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- D. 7 January 1976 White House comments on 30 December draft
- E. 9 January 1976 Note from OGC regarding White House comments on SSC bill on Senate Intelligence Committee
- F. 10 January 1976 Memo for Morning Meeting Participants requesting comments on draft of oversight bill
- G. 10 January 1976 Memo from OGC to Special Counsel to the DCI on problems with the draft bill resolution
- H. 12 January 1976 Memo for SC/DCI from Review Staff on SSC oversight draft
- I. 14 January 1976 Copy of proposed SSC draft bill
- J. 15 January 1976 Memo for the Record from [REDACTED] on developments of the "Intelligence Oversight Act of 1976"
- K. 19 January 1976 Draft of SSC proposed act, "Intelligence Oversight Act of 1976"
- L. 26 January 1976 Draft of SSC oversight bill with cover sheet from [REDACTED]
- M. 28 January 1976 Memo from OGC on [REDACTED] comment of 26 January draft of oversight bill
- N. S. 2893
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Part II. GOVERNMENT OPERATIONS COMMITTEE CONSIDERATION

- A. Colby letter to Ribicoff on S. Con. Res. 4, S. 189, S. 317
- B. Colby 23 January 1976 statement
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- J. 7 February CQ on oversight

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- K. 17 February 1976 Washington Post quoting [REDACTED]
- L. 17 February 1976 Warner on congressional disclosure of classified information
- M. 18 February Presidential message accompanying E.O. 11905
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- W. 16 March 1976 informal Administration views on S. Res. 400

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- A. 18 March 1976 Congressional Record extension of Rules Committee S. Res. 400 deadline
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- B. Index and Digest of S. Res. 400 Debate
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December 15, 1975

100th CONGRESS

S. RES.

(Note: Fill in all blank lines except those provided for the date and number of resolution.)

1st SESSION

IN THE SENATE OF THE UNITED STATES

Mr. _____

submitted the following resolution; which was _____

RESOLUTION

To promote the economy, efficiency, and effectiveness of domestic and foreign intelligence and surveillance programs and activities of the Federal Government; to develop and maintain appropriate coordination between the various departments and agencies of the United States engaged in intelligence and surveillance programs and activities; to assure the establishment of limitations and guidelines for the conduct of such programs and activities; and to establish a standing committee of the Senate to be known as the Committee on National Intelligence and Surveillance.

Whereas the intelligence activities of the Federal Government account for a significant portion of the total expenditures of the Government; and

Whereas the funds for intelligence activities are distributed among various departments and agencies of the Federal Government; and

Whereas it is vital to the national security of the United States that there be coordination among all departments and agencies engaging in intelligence activities; that there be no unnecessary overlap or duplication of such activities by such departments and agencies; and that the policies and programs of such departments and agencies are conducted in full compliance with the laws, policies, and objectives of the government, and are as efficient and economic as possible without infringing on the constitutional rights of the people of the United States; and

Whereas recent congressional investigations indicate that increased congressional oversight over the intelligence functions of the Federal government is necessary and desirable: Now, therefore, be it

Resolved, There is hereby established, as a standing committee of the Senate, with leave to report by bill or otherwise, a Committee on National Intelligence and Surveillance, consisting of nine members, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) the Central Intelligence Agency;

(B) all national intelligence which is the responsibility of the Department of Defense and all counterintelligence and communications security activities related to such responsibility, including, but not limited to, the activities of the National Security Agency, the Defense Intelligence Agency, the Office of Assistant Chief of Staff for Intelligence, Department of the Army, the Office of Naval Intelligence, Department of the Navy, and the Office of Assistant Chief of Staff for Intelligence, Department of the Air Force;

(C) all national intelligence and counterintelligence activities of the Department of State, the Department of the Treasury, the Federal Bureau of Investigation (Department of Justice), the Energy Research and Development Administration, and all other departments and agencies of the United States, except matters relating to the authorization of appropriations to carry out the national intelligence and counterintelligence activities of such departments or agencies.

Sec. 2. Such committee shall have the duty to conduct a continuing investigation, study, and evaluation of the economy, efficiency, and desirability of all surveillance and investigations of individuals and their associations conducted by the government in connection with any intelligence or counterintelligence activity.

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including, but not limited to, such surveillance and investigations conducted by the Department of Justice, the United States Secret Service, the Internal Revenue Service, and the United States Postal Service.

Sec. 3. In carrying out its functions with respect to the matters referred to in Section (1) and (2), the Committee on National Intelligence and Surveillance shall, among other things, report its findings and recommendations to the Senate, from time to time, regarding--

"(A) the economy and efficiency of the government in carrying out intelligence and counterintelligence activities;

"(B) the existence of unauthorized, illegal, or improper intelligence or counterintelligence activities within the government;

"(C) the need for or desirability of guidelines, limitations, supervision, or coordination of intelligence and counterintelligence activities of the government; and

"(D) proposals for the improvement and reorganization of agencies and departments of the Federal government within the jurisdiction of the Committee."

Sec. 4. Service of a Senator as a member of the Committee on National Intelligence and Surveillance shall not be taken into account for the purposes of paragraph 6 of rule XXV of the Standing Rules of the Senate.

Sec. 5. No Senator shall serve as a member of the Committee for more than a period of six years during any twelve year period, exclusive of service by any Senator on such committee during the ninety-fourth Congress. To the greatest extent practicable, the requirements of this section shall be met by electing three new Senators to serve on the Committee at the beginning of the ninety-sixth Congress and each Congress thereafter.

Sec. 6. (a) The Committee on National Intelligence and Surveillance shall have full access to the records and materials of the Select Committee To Study Governmental Operations With Respect to Intelligence Activities, established by Senate Resolution 21, 94th Congress, and, upon the termination of such select

committee, all of its records and materials shall be transferred to the Committee on National Intelligence and Surveillance.

(b) With permission of the Select Committee on Intelligence of the House of Representatives, established by House Resolution 591, 94th Congress, or of any committee of the House of Representatives to which the records and materials of such select committee may be transferred, the Committee on National Intelligence and Surveillance is authorized to have access to the records and materials of such select committee.

Sec. 7. Each department, agency, and instrumentality of the government shall keep the Committee on National Intelligence and Surveillance fully and currently informed with respect to all intelligence and counterintelligence policies, programs, and activities which are the responsibility of, or are planned, supervised, financed, or carried out by, such department, agency, or instrumentality to the extent that such policies, programs, and activities are matters within the jurisdiction of such committee.

Sec. 8. (a) The Committee on National Intelligence and Surveillance shall impose such restrictions on the access to, or disclosure of, any information in the possession of such committee or on the access to, or disclosure of, any testimony or evidence given before such committee as such committee deems necessary to protect the national security of the United States.

(b) In any case in which such committee has imposed restrictions on the disclosure of any information in its custody or on the disclosure of any testimony or evidence given before such committee, and one or more members of such committee have reason to believe that a Member of such committee has disclosed such information, testimony, or evidence in violation of the restrictions imposed by such committee on the disclosure of such information, testimony, or evidence, such committee shall consider any evidence available to it regarding the matter and determine whether the Senate should be requested to consider appropriate action against the Member alleged to have improperly disclosed the information, testimony, or evidence.

Sec. 9. No employee of the Committee on National Intelligence and Surveillance or any person engaged by contract or otherwise to perform services for such committee shall be given access to any classified information or to any information in the possession of such committee, or to any testimony or evidence given before such committee and with respect to which such committee has imposed restrictions, or the disclosure thereof, unless such employee or person has received an appropriate security clearance as determined by such committee. The type of security clearance to be required in the case of such employee or person shall, within the determination of such committee, be commensurate with the sensitivity of the information to which such employee or person will be given access by such committee.

Sec. 10. Nothing in this Act shall be construed to limit, reduce, or otherwise affect in any way the right of any committee or subcommittee of the Senate or of any Member of the Senate to obtain access to any intelligence analyses or similar information from the Executive Branch of the government.